

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

MIDAS GREEN TECHNOLOGIES, LLC,

Plaintiff,

v.

Civil Action No. 6:22-CV-00050-ADA

RHODIUM ENTERPRISES, INC., *et al.*,

Defendant.

JOINT MOTION TO AMEND SCHEDULING ORDER

Plaintiff Midas Green Technologies, LLC (“Midas Green”) and Defendants Rhodium Enterprises, Inc., Rhodium Technologies LLC, Rhodium 10mw LLC, Rhodium 2.0 LLC, Rhodium 30mw LLC, Rhodium Encore LLC, Rhodium Renewables LLC, Rhodium Renewables Sub LLC, and Rhodium Ready Ventures LLC (“Rhodium Defendants”) (collectively, “Parties”) file this Joint Motion to Amend Scheduling Order and would show the Court as follows:

Pursuant to the Court’s Order Granting Joint Motion for Entry of Amended Scheduling Order (Dkt. No. 139), the deadline for the Parties to file their dispositive and *Daubert* motions is February 23, 2024. *See* Dkt. No. 139. The deadline for the Parties to file their responses to dispositive and *Daubert* Motions is March 8, 2024. *Id.* The deadline for the Parties to file their replies to dispositive and *Daubert* motions is March 19, 2024. *Id.* At this time, the Parties respectfully request that the Court extend (1) the deadline to file dispositive and *Daubert* motions up to and including March 1, 2024; (2) the deadline to file responses to dispositive and *Daubert* motions up to and including March 15, 2024; and (3) the deadline to file replies to dispositive and *Daubert* motions up to and including March 26, 2024.

Good cause exists for these brief extensions. As the Court is aware, the Parties recently modified the deadlines for the Parties to complete expert witness discovery. *See* Dkt. No. 142. This brief one-week extension will ensure that the Parties have sufficient time to finalize and file their dispositive and *Daubert* motions following the completion of expert witness discovery.

The Parties represent that this extension is not sought for the purposes of delay but rather so that justice may be served. The Parties have met and conferred and are jointly seeking the relief sought in this Motion.

Accordingly, the Parties respectfully request that the Court grant this Joint Motion and enter an order extending the deadline for the Parties to file (1) dispositive and *Daubert* motions up to and including March 1, 2024; (2) responses to dispositive and *Daubert* motions up to and including March 15, 2024; and (3) replies to dispositive and *Daubert* motions up to and including March 26, 2024.

Dated: February 20, 2024

Respectfully submitted,

/s/ Michael C. Smith (with permission)

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record are being served with a true and correct copy of this document via the Court's CM/ECF system on February 20, 2024.

/s/ Melissa R. Smith

Melissa R. Smith